

**STATE AGRICULTURE DEVELOPMENT COMMITTEE  
May 23, 2013**

**Summary of Changes to the SADC Appraisal Handbook –2013**

**1. Page 3 –Appraisal Submission Policy**

Appraisals may be submitted to the Contracting Party (County, Municipality, Nonprofit or SADC) in hard copy or electronically. If an appraisal is submitted electronically:

1. The appraisal must be submitted to the Contracting Party in Portable Document Format (PDF) or a similar format as approved by the SADC.
2. The Contracting Party will submit the appraisal to the SADC for review via the State of New Jersey's approved secure data exchange site. Instructions will be provided by the SADC. Each appraisal must be identified with a specific file name coded with a unique identifier for tracking and permanent retention purposes. SADC staff will provide appraisers and Contracting Parties with specific instructions and details for file names.
3. Each appraiser shall include a signed and scanned PDF copy of the SADC's "Appraiser's Certification of Report Genuineness" with every appraisal; e.g., for all drafts and final versions of appraisals that are electronically submitted to the SADC.
4. Any required or requested Alterations, Corrections or other Changes to the appraisal must be made to the entire document and the appraisal resubmitted using the above procedure. Single pages with changes may not be submitted electronically. The original document will be deleted and replaced with the revised document.

DATE OF IMPLEMENTATION TO BE ANNOUNCED

**Reason:** In order to comply with permanent record retention requirements, reduce costs, and save paper.

**2. Page 6: Statement Added**

Attached to the addenda of this Handbook is a guide of onsite development opportunities available to landowners in the Pinelands Agricultural Production, Special Agricultural Production and Preservation Areas.

**Reason:** To provide appraisers with a helpful guide and worksheet for onsite development opportunities available in the Pinelands Agricultural Production, Special Agricultural Production and Preservation Areas and how they compare to the SADC Deed of Easement and Exception Areas.

**3. Page 14: Statement Added to (e) 3. Residual Dwelling Site Opportunity (RDSO)**

The resident of the dwelling must be regularly engaged in common farmsite activities on the premises.

**Reason:** Further Clarification of the rule applied to RDSOs

**4. Page 15: Statement Added**

The Appraisal Order Checklist must be filled out and signed and provided to the appraiser.

**5. Page 22: Paragraph relating to where to find the SSURGO Soils Information is removed and replaced with**

NRCS offers the Web Soil Survey, <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx> online; this website is the “single authoritative source of soil survey information” that is updated and maintained by NRCS. Appraisers must rely on this website for all soils data that is not provided to them by the contracting agency, including comparable sales data. For Septic Suitability, after identifying the area of interest and creating the soils map of the property, the appraiser is required to use the Sewage Disposal (NJ) located under Soil Data Explorer – Go to Suitabilities and Limitations for Use or Soil Reports, Sanitary Facilities, Click Sewage Disposal (NJ) and then click View Rating to obtain the report. To find the agricultural classifications of the soils (Prime, Statewide, local, unique) click on Land classifications, click Prime and other Important Farmlands.

**Reason:** This is the most current tool available from NRCS

6. Page 23 - Flood Maps are already required. It is emphasized that the subject be identified by an arrow and an estimate of land area impacted by any flood hazard zone be provided by the appraiser.
7. Pinelands Development Worksheet added to the addenda of the Handbook for the purpose of assisting the appraiser in developing highest and best use or onsite development capability of the subject property. The document is not required to be included in the appraisal.

## **Pinelands Onsite Development Worksheet**

The purpose of this worksheet is to aid the appraiser in determining the number of potential onsite building opportunity rights that are currently available to the subject in application. The worksheet is meant as an aid to the appraiser in developing their highest and best use analysis. It is at the appraiser's sole discretion as to what value impact (if any) this onsite development potential may have on the subject property.

Owner:

Farm Name:

Address:

Township:

County:

Tax Block/Lot(s):

Total Acres in application:

Total PDCs as per Current LOI: \_\_\_\_

Future onsite dwelling opportunities reserved: \_\_\_\_

*Note: Prior to preservation LOI must acknowledge reduction by 0.25 PDC for each anticipated dwelling opportunity being reserved.*

PDCs proposed to be retired by the proposed preservation easement \_\_\_\_

Property Tax Lot is within:   \_\_ Agricultural Production Area  
  \_\_ Special Agricultural Production Area  
  \_\_ Preservation Area District  
  \_\_ Multiple Management Areas  
  \_\_ Pinelands Villages and towns  
  \_\_ Rural Development  
  \_\_ Regional Growth Areas  
  \_\_ Forest Areas

(if property is not at least partially in the Agricultural Production, Special Agricultural Production or Pinelands Preservation areas do not use this worksheet)

**AP (Agricultural Production) Management Area           N.J.A.C. 7:50 – 5.24**

\_\_\_\_yes   \_\_\_\_no

**1.   Property is eligible for 1 unit per 40 acre cluster provision**

Rule: Non-farm housing units at gross density of 1:40 acres (N.J.A.C. 7:50-5.24(a)3)

- a. Unit(s) shall be clustered on one acre lots, unless municipality determines residential development is incompatible with agricultural use
  - i. *If new residential lots are being created (subdivided off), each new lot must be one acre in size (not smaller and not bigger).*
  - ii. *Standard septic systems can be used*
- b. Requires deed restriction of remainder of lot with severance of any PDCs

*Note: Appraisers that feel this is the highest and best use of a property must deduct the number of PDCs that would need to be expended to develop a particular number of onsite units from consideration in the easement value, by not valuing those credits in the before value.*

**Subject Property Potential Yield under 1:40 cluster provision**

# of acres \_\_\_\_

# of potential subdivisions \_\_\_\_ (# of acres/40 ) on 1 acre lots

**2. Property is eligible for 1 accessory to agriculture unit per 10 acres every 5 years for farm operator/employee**

Rule: 1 unit: 10 acres farm related housing (N.J.A.C. 7:50-5.24(a)2)

- a. Dwelling must be accessory to active agricultural operation

- b. Dwelling must be for an operator or employee of farm actively engaged in operation
- c. Lot has not been subdivided within last 5 years unless done so under cultural housing provision
- d. No more than one lot can be created under this provision at one time

**Subject Property Potential Yield under 1:10 every 5 years**

# of acres \_\_\_\_

# of potential dwellings/subdivisions \_\_\_\_ (# of acres/10) Accessory to Agriculture

# of years until fully developed \_\_\_\_ (# potential units/subdivisions x 5)

*An appraiser should consider length of term to achieve full development when assessing value impact. For instance, under the above scenario a 100 acre property could be potentially subdivided 10 times until it can be subdivided no further, but it would take 50 years to accomplish this. The present value of such distant future benefits needs to be carefully considered by the appraiser. The requirement that the opportunity (new lot or house) needs to be accessory to agriculture must also be taken into account.*

*Note: Appraisers that feel this is the highest and best use of a property must deduct the number of PDCs that would need to be expended to develop a particular number of onsite units from consideration in the easement value, by not valuing those credits in the before value.*

**3. Property is eligible for 3.2 acre Cultural Housing Provision**

Rule - Cultural Housing Provision (N.J.A.C. 7:50-5.32)

- a. 3.2 acre lot requirement
  - i. For lots existing as of Feb. 8, 1979 the 3.2 acre requirement may be reduced to 1 acre with township variance and purchase of 0.25 PDCs
- b. Unit must be principal residence of property owner or immediate family member
- c. Individual whose residence it will be has not developed a similar unit within previous 5 years
- d. Parcel must have been in continuous ownership of individual or their family since Feb. 7, 1979
- e. Individual whose residence it will be has resided in Pinelands for at least 5 years or he or member of family for a total of at least 20 different years

*Note: Appraisers that feel this is the highest and best use of a property must deduct the number of PDCs that would need to be expended to develop a particular number of onsite units from consideration in the easement value, by not valuing those credits in the before value.*

**4. Other potential uses of the property under AP Management Area**

Seasonal Agricultural Labor Housing -**Eligible**

Agricultural Commercial Establishments up to 5,000 SF -**Eligible**

Agriculture and Agricultural Structures -**Eligible**

Low intensity Recreational Uses -**Eligible**

Expansion of intensive recreational uses (in existence 2/7/1979) \_\_\_\_ yes \_\_\_\_no

**Substantially Similar Zoning:** Please provide applicable municipal zoning code. This should be confirmed with the Pinelands Commission. \_\_\_\_ (check if applicable)

**Wetlands/Buffers:** Wetland buffers are uniformly 300' wide in the Pinelands and septic systems are not permitted in the buffer area. If a proposed house cannot be sited on the property outside wetlands and wetlands buffers, the property may be eligible for a waiver of strict compliance from the Pinelands Commission. When considering a request for a waiver, the Commission considers not only the property itself but all contiguous lands in common ownership on or after 1979. A waiver would allow for the construction of only one dwelling on the parcel, in its entirety. If there is an existing house on the property or on any commonly owned contiguous lands, a waiver for an additional dwelling cannot be approved.

**SAP (Special Agriculture Production) Management Area N.J.A. C. 7:50 – 5.25    \_\_\_ yes    \_\_\_ no**

**1.    Property is eligible for large farm lot dwelling/subdivision (40+ acre units)**

Rule: 1 unit: 40 acres farm –related housing (N.J.A.C. 7:50-5.25(b)) (If permitted by Township)

- a. Dwelling must be accessory to active agricultural operation
- b. Dwelling must be for an operator or employee of farm actively engaged in operation
- c. Lot has not been subdivided within last 5 years unless done so under cultural housing provision
- d. No more than one lot can be created under this provision at one time

*Note: Appraisers that feel this is the highest and best use of a property must deduct the number of PDCs that would need to be expended to develop a particular number of onsite units from consideration in the easement value, by not valuing those credits in the before value.*

*Note: There are eight municipalities which contain SAP Areas: Bass River, Hammonton, Medford, Pemberton, Shamong, Tabernacle, Washington and Woodland. All but two (Medford and Pemberton) permit 1 per 40 farm related housing.*

**Subject Property Potential Yield under 1:40 large farm lot development**

# of acres \_\_\_\_

#of Potential 40 acre farm units \_\_\_\_ (# of acres/40)

**2. Property is eligible for 3.2 acre Cultural Housing Provision (N.J.A.C. 7:50-5.32) dwelling/subdivision**

Rule - Cultural Housing Provision (N.J.A.C. 7:50-5.32)

- a. 3.2 acre lot requirement
  - i. For lots existing as of Feb. 8, 1979 the 3.2 acre requirement may be reduced to 1 acre with township variance and purchase of 0.25 PDCs
- b. Unit must be principal residence of property owner or immediate family member
- c. Individual whose residence it will be has not developed a similar unit within previous 5 years
- d. Parcel must have been in continuous ownership of individual or their family since Feb. 7, 1979
- e. Individual whose residence it will be has resided in Pinelands for at least 5 years or he or member of family for a total of at least 20 different years.

Note: Appraisers that feel this is the highest and best use of a property must deduct the number of PDCs that would need to be expended to develop a particular number of onsite units from consideration in the easement value, by not valuing those credits in the before value.

**3. Other potential uses of the property under SAP Management Area**

Seasonal Agricultural Labor Housing -**Eligible**

Accessory Farm Markets -**Eligible**

Berry Agriculture and related Berry Agricultural Structures -**Eligible**

**4. The SAP does not provide for:**

**1 farm accessory unit per 10 acres every 5 years for farm manager/owner/relative**

**1 unit per 40 acre non-farm housing cluster provision (1 acre lots)**

**Substantially Similar Zoning:** Please provide applicable municipal zoning code. This should be confirmed with the Pinelands Commission. \_\_\_\_ (check if applicable)

**Wetlands/Buffers:** Wetland buffers are uniformly 300' wide in the Pinelands and septic systems are not permitted in the buffer area. If a proposed house cannot be sited on the property outside wetlands and wetlands buffers, the property may be eligible for a waiver of strict compliance from the Pinelands Commission. When considering a request for a waiver, the Commission considers not only the property itself but all contiguous lands in common ownership on or after 1979. A waiver would allow for the construction of only one dwelling on the parcel, in its entirety. If there is an existing house on the property or on any commonly owned contiguous lands, a waiver for an additional dwelling cannot be approved.

**Pinelands Preservation Area District N.J.A.C. 7:50-5.22 \_\_\_\_ yes \_\_\_\_ no**

**1. Property is eligible for Cultural Housing Provision (N.J.A.C. 7:50-5.32) subdivision**

- a. 3.2 acre lot requirement
  - i. For lots existing as of Feb. 8, 1979 the 3.2 acre requirement may be reduced to 1 acre with township variance and purchase of 0.25 PDCs
- b. Unit must be principal residence of property owner or immediate family member
- c. Individual whose residence it will be has not developed a similar unit within previous 5 years
- d. Parcel must have been in continuous ownership of individual or their family since Feb. 7, 1979
- e. Individual whose residence it will be has resided in Pinelands for at least 5 years or he or member of family for a total of at least 20 different years.

Note: Appraisers that feel this is the highest and best use of a property must deduct the number of PDCs that would need to be expended to develop a particular number of onsite units from consideration in the easement value, by not valuing those credits in the before value.

**2. The Preservation Area District does not provide for:**

**1 unit per 40 acre non-farm housing cluster provision**

**Farm –related housing (1 per 40 acres or 1 per 10 acres)**

**3. Other potential uses of the property under Preservation District Management Area (If permitted by the municipality)**

Seasonal Agricultural Labor Housing ☐ yes ☐ no

Agricultural employee housing as an element of, and accessory to, an active agricultural operation ☐ yes ☐ no

Accessory Farm Markets ☐ yes ☐ no

Agricultural Structures ☐ yes ☐ no

Low intensity Recreational Uses ☐ yes ☐ no

Expansion of intensive recreational uses (in existence 2/7/1979) ☐ yes ☐ no

**Substantially Similar Zoning:** Please provide applicable municipal zoning code in appraisal.

This should be confirmed with the Pinelands Commission. \_\_\_\_\_ (check if applicable)

**Wetlands/Buffers:** Wetland buffers are uniformly 300' wide in the Pinelands and septic systems are not permitted in the buffer area. If a proposed house cannot be sited on the property outside wetlands and wetlands buffers, the property may be eligible for a waiver of strict compliance from the Pinelands Commission. When considering a request for a waiver, the Commission considers not only the property itself but all contiguous lands in common ownership on or after 1979. A waiver would allow for the construction of only one dwelling on the parcel, in its entirety. If there is an existing house on the property or on any commonly owned contiguous lands, a waiver for an additional dwelling cannot be approved.

## Pinelands Onsite Development Guide

|   | Area Type - No Deed Restriction |                                 |                            | SADC Deed Restriction                      |                                   |
|---|---------------------------------|---------------------------------|----------------------------|--|-----------------------------------|
|   | Agricultural Production         | Special Agricultural Production | Preservation Area          | Permitted on SADC DEED RESTRICTED PREMISES | Permitted on SADC EXCEPTION AREAS |
| <b>Development Opportunity</b>  |                                 |                                 |                            |  |                                   |
| 3.2 ACRE CULTURAL HOUSING - 1 EVERY 5 YEARS   | X                               | X                               | X                          | NO   | YES                               |
| 1DU/40 ACRE CLUSTER OPTION  | X                               |                                 |                            | NO   | NO                                |
| 1DU/10 ACRE ACCESSORY TO AGRICULTURE EVERY 5 YEARS  | X                               |                                 |                            | NO   | YES if pre reserved - only once   |
| 1DU/40 - ACCESSORY TO AGRICULTURE EVERY 5 YEARS   |                                 | X                               |                            | NO   | YES - if pre reserved - only once |
| SEASONAL AGRICULTURAL LABOR   | X                               | X                               | X                          | YES  | YES                               |
| RDSO - Residual Dwelling Site Opportunity   | N/A                             | N/A                             | N/A                        | Yes -with approval                         | N/A                               |
| AGRICULTURAL STRUCTURES   | X                               | FOR BERRY AGRICULTURE ONLY      | FOR BERRY AGRICULTURE ONLY | YES  | YES                               |
| FARM MARKETS UP TO 5,000 SF   | X                               |                                 |                            | YES - with approval                        | YES                               |
| LOW INTENSITY RECREATIONAL USES INCLUDING HUNTING /FISHING  | X                               |                                 | X                          | YES per CADB/SADC review                   | YES                               |
| EXPANSION OF INTENSIVE RECREATIONAL USES IN EXISTENCE AS OF 2/7/79  | X                               | X                               | X                          | NO   | YES                               |
| ACCESSORY USES(EG. SMALL FARM MARKETS/CARTS, SOLAR FACILITIES   | X                               | X                               | X                          | YES  | YES                               |
| ALL DEVELOPMENT IS SUBJECT TO PINELANDS REVIEW AS WELL AS MUNICIPAL APPROVAL.   |                                 |                                 |                            |  |                                   |
| WETLANDS AND WETLANDS BUFFERS STANDARDS APPLY TO AGRICULTURAL STRUCTURES AND ARE SUBJECT TO MUNICIPAL REVIEW                          |                                 |                                 |                            |  |                                   |
| EXCEPTION AREAS ARE SUBJECT TO PINELANDS AND MUNICIPAL REGULATIONS INCLUDING WETLAND AND BUFFER REGULATIONS.                          |                                 |                                 |                            |  |                                   |
| MUNICIPAL ORDINANCE SHOULD BE CHECKED TO VERIFY WHETHER A USE LISTED ON THE ABOVE CHART IS PERMITTED IN A PARTICULAR ZONING DISTRICT. |                                 |                                 |                            |  |                                   |



5/23/13 SADC Meeting

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